

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

| | | |
|---------------------------|---|-------------------------|
| _____ |) | |
| UNITED STATES OF AMERICA, |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 13-442-JJM-PAS |
| |) | |
| STATE OF RHODE ISLAND, |) | |
| Defendant. |) | |
| _____ |) | |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 14-175-JJM-PAS |
| |) | |
| STATE OF RHODE ISLAND, |) | |
| Defendant. |) | |
| _____ |) | |

ORDER

Given that the court-ordered Action Plan (filed October 19, 2021) stated that “the plan would include a contract to a private organization to coordinate and implement an intensive statewide recruitment initiative”. Six months have passed, and that provision of the Action Plan has not been met.

The workforce shortage continues to be a primary barrier to substantial compliance with the capacity section of the Consent Decree. Consultant reports in April 2021 and October 2021 documented more than 1000 direct support vacancies.

Using other than State sources and organizations (as specified in the Action Plan):

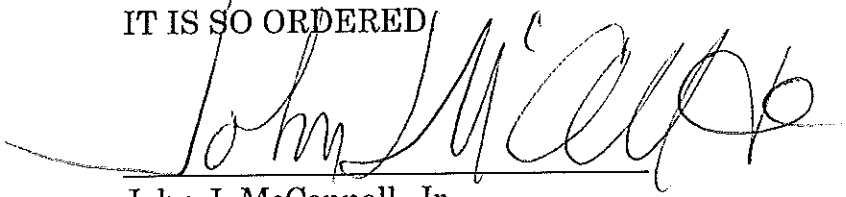
- (1) By June 1, 2022, finalize work plans for the four working groups connected to the Statewide Infrastructure and Recruitment initiative – (i) Recruitment and Retention, (ii) Standards and Credentialing; (iii) Training and Professional Development; (iv) Institutes of Higher Education. Work plans should include (i) intended outcomes, (ii) specific action steps, (iii) responsible persons or organizations, (iv) timeline for implementation.
- (2) By June 15, 2022, scan and identify all recruitment activities being implemented by developmental disability provider organizations; develop strategy and plan for coordinating these activities with activities of the four Statewide Infrastructure and Recruitment workgroups.
- (3) By June 30, 2022, conduct focus groups with provider organizations, individuals and families who self-direct and other pertinent organizations to gather information needed to develop and implement a comprehensive statewide recruitment strategy – including, but not limited to (a) statewide needs, (b) possible career pathways and sources for talent pipelines, (c) new concepts for service provision, (d) staff roles and responsibilities, (e) factors associated with turnover, (f) factors that contribute to retention.
- (4) By July 15, 2022, finalize statewide recruitment campaign including target populations, recruitment strategies specific to each population, interviewing strategies, strategies for providing pre-employment training, strategies for interviewing and preparing candidates who speak languages other than English, onboarding strategies and any other strategies needed to effectively implement the statewide campaign. Work plans should include (i) intended outcomes, (ii) specific action steps, (iii) responsible persons or organizations, (iv) timeline for implementation.
- (5) By July 15, 2022, develop statewide marketing campaign; begin implementation by July 30, 2022.
- (6) By August 1, 2022, employ enough recruiters to efficiently implement the statewide recruitment plan.
- (7) By August 1, 2022, employ staff who will serve as liaison between all participating institutions of higher education and the statewide recruitment activities.
- (8) By September 1, 2022, identify and list all potential retention strategies and resources needed to implement identified strategies.

(9) Resulting from the actions defined above, the following benchmarks will be achieved across the statewide network of provider organizations and individuals who self-direct:

- (i) By September 1, 2022, recruit 60 potential candidates 35 of whom will be hired by providers or individuals who self-direct.
- (ii) By October 1, 2022, recruit 60 additional candidates (120 total), 35 of whom (70 total) will be hired by providers or individuals who self-direct. 35 paid interns from participating institutions of higher education will begin.
- (iii) By November 1, 2022, recruit 60 additional candidates (180 total), 35 of whom (105 total) will be hired by providers or individuals who self-direct. 35 additional paid interns (70 total) from participating institutions of higher education will begin.
- (iv) By December 1, 2022, recruit 60 additional candidates (240 total), 35 of whom (140 total) will be hired by providers or individuals who self-direct. 35 additional paid interns (105 total) from participating institutions of higher education will begin.
- (v) By January 1, 2023, recruit 60 additional candidates (300 total), 35 of whom (175 total) will be hired by providers or individuals who self-direct. 35 additional paid interns (140 total) from participating institutions of higher education will begin.
- (vi) By February 1, 2023, recruit 60 additional candidates (360 total), 35 of whom (210 total) will be hired by providers or individuals who self-direct. 35 additional paid interns (175 total) from participating institutions of higher education will begin.
- (vii) By March 1, 2023, recruit 60 additional candidates (420 total), 35 of whom (245 total) will be hired by providers or individuals who self-direct. 35 additional paid interns (210 total) from participating institutions of higher education will begin.
- (viii) By April 1, 2023, recruit 60 additional candidates (480 total), 35 of whom (280 total) will be hired by providers or individuals who self-direct. 35 additional paid interns (245 total) from participating institutions of higher education will begin.
- (ix) By May 1, 2023, recruit 60 additional candidates (540 total), 35 of whom (315 total) will be hired by providers or individuals who self-direct. 35 additional paid interns (280 total) from participating institutions of higher education will begin.
- (x) By June 1, 2023, recruit 60 additional candidates (600 total), 35 of whom (350 total) will be hired by providers or individuals who self-direct.

Beginning June 2022, the State will provide biweekly (15th and 30th of each month) reports to the Court Monitor.

IT IS SO ORDERED

A handwritten signature in black ink, appearing to read "John J. McConnell, Jr.", written over a horizontal line.

John J. McConnell, Jr.
Chief Judge
United States District Court

May 3, 2022